

REMARKS

The Office Action mailed on November 7, 2001, has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-4 were pending in the application. Claims 1 and 3 have been amended. Claims 5-13 have been added and no claims have been cancelled. Therefore, claims 1-13 are pending in the application and are submitted for reconsideration by the Examiner.

According to the Office Action, the incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication, is improper, and Applicant is required to amend the disclosure to include the material incorporated by reference. Applicant respectfully traverses this requirement because the material incorporated by reference is not essential material as defined in MPEP 608.01(p). The Examiner has tacitly admitted this fact by failing to reject any of the claims under 35 U.S.C. § 112, first paragraph.

The specification is objected to for failing to provide proper antecedent basis for the claimed subject matter. The specification has been amended where appropriate. No new matter has been added.

In the Office Action, claims 1-4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims have been amended where appropriate.

Claims 1-4 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,161,891 to Blakesley (hereinafter "Blakesley"). Claims 1-4 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,243,634 B1 to Oestreicher et al. (hereinafter "Oestreicher"). Applicant respectfully traverses the rejections as they may be applied to the amended claims for at least the following reasons.

Amended claims 1 and 3 and new independent claim 7 call for a fulcrum that is configured to support a part of a load applied to the seat that is not measured by a load sensor. Examples of such a fulcrum are disclosed in several places in the specification: e.g., the pivotable connection between bracket 21 and block 24 (first

embodiment, page 5, lines 17-21), the pivotable connection between the vehicle body mounting bracket 32 and the right seat rail 17R (second embodiment, page 7, lines 3-4), and the connecting sections 53x (fourth embodiment, page 9, line 13). In Fig. 3 (third embodiment), the movable connection between the sliding plate 14 and the seat rail 17R acts as a fulcrum by allowing the longitudinal plate 13 on the left side of the seat to move up and down enough so that the load sensor 25 can sense a load. A significant advantage of the use of a fulcrum is a reduction in the required number of installed load sensors.

Both the Blakesley and Oestreicher references disclose four sensors through which the entire load applied to the seat is transferred. (See col. 4, lines 3-4 of Blakesley. See col. 3, lines 51-54 of Oestreicher.) Neither reference teaches, suggests, or discloses a fulcrum configured to support a part of the load applied to the seat that is not measured by a load sensor, as called for in claims 1, 3, and 7. Therefore, independent claims 1, 3, and 7 are believed to be patentable over the cited references. Reconsideration and withdrawal of the rejections is respectfully requested. The remaining claims depend from claims 1, 3, or 7 and contain further patentable limitations. Therefore, the remaining claims are allowable with claims 1, 3, or 7 without regard to the further patentable limitations contained herein.

In view of the foregoing remarks, applicants respectfully submits that all of the pending claims are now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

By 

Howard N. Shipley
Attorney for Applicant
Registration No. 39,370

APPENDIX A

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

The paragraph beginning at page 5, line 17:

Blocks 24 are fixed on the lower surface of the front ends of the left and right seat rails 17, respectively. The block 24 is provided with a pivotally mounted vehicle body mounting bracket 21. The vehicle body mounting bracket 21 is used for fixing the seat rail 17 to the bottom portion of the vehicle body. Since the bracket 21 is pivotally connected to the block 24, it acts as a fulcrum so that the rear end of the seat rail 17 can be warped in the upward and downward directions. As is known by one skilled in the art, any pivotable or moveable connection may act as a fulcrum.

The paragraph beginning at page 6, line 5:

In the seat weight measuring apparatus 10 of the first embodiment, when the seat weight is detected by the load sensor 25, the value detected by the touch or position sensor 5 (which may hereinafter be referred to as the position sensor 5 or the touch sensor 5) integrated in the seat back 3b of the seat 3 as shown in Fig. 9 is taken into consideration. The touch sensor 5 is used for detecting the position of the passenger on the seat (unbalanced positioning of the passenger such as one side, front side, or back side sitting, etc.). By including the touch sensor 5, variations in detected values of the seat weight due to the variations in positioning of the passenger on the seat 3 can be corrected.

The paragraph beginning at page 11, line 11:

The seat 103 shown in Fig. 7 comprises a seat cushion 103a on which the passenger sits and a seat back 103b against which the passenger leans. A child seat 110 is placed on the seat 103. The child seat 110 is fixed on the seat 103 by means of the seat belt 120. The seat belt 120 [is extending] extends from [the fixed end] a retractor (not shown) via a deflector 122 and a [tong] tongue 124 connected to the buckle 123, and then [passing] passes over the child seat 110, and [attached] attaches to the [retractor] anchor 125.

The paragraph beginning at page 12, line 24:

The effect of a child seat will be described now. As shown in Fig. 7, when the child seat 110 is on the seat 103, a downward force by the tension of belt 120 acts on the child seat 110. At this time, right seat frame (the right longitudinal plate 118R, right seat rail 117R) is acted upon by the tensile strength T1 that pulls upwardly from the [tong] tongue 124 toward the deflector 122 and the tensile strength T2 that pulls upwardly from the [tong] tongue 124 toward the upper right edge 110R of the child seat 110. However, because T1 + T2 that acts downwardly is applied to the upper right edge 110R of the child seat 110, the upward and downward force that is applied to the right seat frame is compensated in actual fact. On the other hand, the tensile strength T' that pulls downwardly is always applied to the upper left edge [1101] 110L of the child seat 110.

APPENDIX B
VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

1. (Amended) A seat weight measuring apparatus, applied to a seat that is mounted to a vehicle body, for measuring the weight of [the] a passenger sitting on the seat, [applied to the seat] comprising: [a] at least one load sensor, [is] installed at [one of] a location at which the seat is [fixed] mounted to the vehicle body, for measuring a part of [the] a load applied to the seat; and a fulcrum configured to support a part of the load applied to the seat that is not measured by any load sensor.

3. (Amended) A seat weight measuring apparatus, applied to a seat that is mounted to a vehicle body, for measuring the weight of [the] a passenger sitting on the seat, [applied to the seat] comprising:

[a] at least one load sensor, installed at one of [the] left and right sides of a seat [frames] frame, for measuring a part of a load applied to the seat, [the seat is fixed to the vehicle body, and]

a restraining mechanism, connected to said seat frame, for [restraining] limiting a force applied to said at least one load sensor [within said seat frame], and

a fulcrum connected to the other of said left and right sides of said seat frame and configured to support a part of the load applied to the seat that is not measured by any load sensor.